



PATENT

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Kurt L. Grossman, Esq., Reg. No. 29,799

Date

5/27/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/469,738
Filed: December 21, 1999
Group Art Unit: 3763
Examiner: Michael J. Hayes
Applicant: Joseph J. Chang
Title: SAFETY CATHETER WITH TORTUOUS FLUID PATH
Atty Docket: 056301.P478 (MDXVA-25US)
Confirmation No.: 5325

Cincinnati, Ohio 45202

May 27, 2004

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TRANSMITTAL

1. Transmitted herewith is an Amendment with RCE in response to the Official Action mailed February 10, 2004.
2. Small Entity status of this application under 37 C.F.R. 1.9 and 1.27 has been previously established.
 Enclosed is a verified statement to establish Small Entity status.
 Other than a Small Entity.

3. The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	19	MINUS	20		x \$9	\$0	x \$18	\$0
INDEP.	2	MINUS	3		x \$43	\$0	x \$86	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+\$145	\$0	+\$290	\$0	
TOTALS				TOTAL FEE	\$0	TOTAL FEE	\$0	

- If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

X No additional fee for claims is required.

4. Attached are two checks in the sum of \$ 770.00 for the RCE fee and \$110.00 and one month extension of time fee.

— Please charge my Deposit Account No. 23-3000 in the amount of \$ _____.
A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

- (a) X Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<u>X</u>	one month \$ 110.00	\$ 55.00
—	two months \$ 410.00	\$205.00
—	three months \$ 930.00	\$465.00
—	four months \$1,450.00	\$725.00
—	five months \$1,970.00	\$985.00

Extension fee due with this request \$110.00 (enclosed with the RCE fee).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- An extension for ____ months has already been secured and the fee paid thereof of \$____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$____.

OR

- (b) — Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- X If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-2917
(513) 241-2324



(Signature of Attorney)

Kurt L. Grossman
Reg. No. 29,799

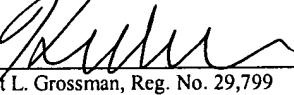
Amendments to the Claims are reflected in the Listing of Claims which begins on page 6 of this paper.

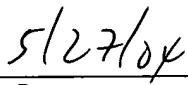
Remarks begin on page 11 of this paper.



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AMENDMENT WITH RCE

This is in response to the Final Office Action mailed February 10, 2004, and is submitted with an RCE under 37 CFR 1.114. A corrected set for formal drawings (5 sheets) is submitted herewith.

Amendments to the Specification begin on page 3 of this paper.

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